

May 6, 2020

STATEMENT OF PROCEEDINGS

The Minutes of the

***BOARD OF SUPERVISORS
REGULAR MEETING
PLANNING AND LAND USE MATTERS***

COUNTY OF SAN DIEGO

COUNTY OF SAN DIEGO BOARD OF SUPERVISORS
REGULAR MEETING
MEETING AGENDA
WEDNESDAY, MAY 6, 2020, 9:00 AM
BOARD OF SUPERVISORS NORTH CHAMBER
1600 PACIFIC HIGHWAY ROOM 310, SAN DIEGO, CALIFORNIA

Order of Business

- A. Roll Call
- B. Closed Session Report
- C. Public Communication: Opportunity for members of the public to speak to the Board on any subject matter within the Board's jurisdiction but not an item on today's agenda.
- D. Formation of Consent Calendar
- E. Discussion Items

NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.

Supporting documentation and attachments for items listed on this agenda can be viewed online at <http://www.sdcountry.ca.gov/cob/bosa/> or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101.

Board of Supervisors' Agenda Items

- | Agenda # | Subject |
|-----------------|---|
| 1. | NOTICED PUBLIC HEARING:
VACATION OF BIOLOGICAL OPEN SPACE EASEMENT RELATED TO THE UNDERGROUNDING OF THE SAN PASQUAL CANAL, PDS2019-VAC-19-002; VALLEY CENTER COMMUNITY PLAN AREA (04/21/2020 - SET HEARING; 05/06/2020 - HOLD HEARING) |
| 2. | TRAFFIC ADVISORY COMMITTEE (05/06/2020 - ADOPT RECOMMENDATIONS; 05/20/2020 - SECOND READING OF AN ORDINANCE) |
| 3. | ADOPT RESOLUTION TO CHANGE THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND BOUNDARY MAP FOR COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE)
[FUNDING SOURCE: SPECIAL TAXES PAID BY PROPERTY OWNERS WITHIN THE MEADOWOOD CFD] |

4. ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE SWEETWATER ROAD PATHWAY IMPROVEMENT PROJECT
[FUNDING SOURCE: AVAILABLE FUND BALANCE BUDGETED IN THE DEPARTMENT OF PUBLIC WORKS, AND AVAILABLE PRIOR YEAR ROAD FUND FUND BALANCE]
(4 VOTES)

**1. SUBJECT: NOTICED PUBLIC HEARING:
VACATION OF BIOLOGICAL OPEN SPACE EASEMENT RELATED
TO THE UNDERGROUNDING OF THE SAN PASQUAL CANAL,
PDS2019-VAC-19-002; VALLEY CENTER COMMUNITY PLAN AREA
(04/21/2020 - SET HEARING; 05/06/2020 - HOLD HEARING)
(DISTRICT: 5)**

OVERVIEW

On April 21, 2020 (6), the Board of Supervisors set a Hearing for May 6, 2020.

This is a request for the Board of Supervisors (Board) to evaluate and consider a proposed Open Space Vacation (Vacation) and adopt the Environmental Findings for the San Pasqual Canal Undergrounding Open Space Vacation project.

The Vacation is a proposal to abandon 5,750 square feet (0.13 acre) of a Biological Open Space Easement granted to the County of San Diego in 1994 with approval of Tentative Parcel Map (TPM) 20129 to protect oak woodland and the associated drainage course. This Vacation will allow the City of Escondido (City) and the Vista Irrigation District (District) to install an underground pipeline as part of a larger effort to relocate and underground a portion of the San Pasqual Raw Water Canal that currently crosses the San Pasqual Reservation. Based on the City's current plan to complete all construction work underground, impacts to the existing habitat of oak woodland and southern mixed chaparral are not expected. The project site is 4.03 acres and is located at Sunenergy Road in the Valley Center Community Plan area, within unincorporated San Diego county.

Today's request requires two steps: On April 21, 2020, it is requested that the Board set a date for a public hearing on May 6, 2020 and provide public notice of that hearing, which includes signage at the project site. If the Board takes the actions recommended for today, then on May 6, 2020, it is requested that the Board consider and adopt a resolution to vacate the referenced open space easement.

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Addendum on file with Planning & Development Services as Environmental Review Number PDS2019-ER-19-09-004 was adopted in compliance with the California Environmental Quality Act (CEQA) and the State and County CEQA Guidelines and that the Board of Supervisors has reviewed and considered the information contained therein prior to approving the project; and Find that there are no substantial changes in the project or in the circumstances under which the project is undertaken that involve significant new environmental impacts which were not considered in the previously adopted Mitigated Negative Declaration dated October 2016, that there is no substantial increase in the severity of previously identified significant effects, and that no new information of substantial importance has become available since the Environmental Assessment/Mitigated Negative Declaration was adopted as explained in the Environmental Review Update Checklist dated May 6, 2020.
2. Adopt the Environmental Findings, which includes findings that the proposed project meets the conditions for the application of the California Environmental Quality Act (CEQA) Guidelines Section 15164 (Attachment B, on file with the Clerk of the Board).

3. Adopt the Resolution entitled: A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO VACATING OPEN SPACE EASEMENT PDS2019-VAC-19-002 (Attachment C, on file with the Clerk of the Board).
4. Direct the Clerk of the Board to record the Resolution pursuant to the Streets and Highways Code Section 8325.

FISCAL IMPACT

N/A

BUSINESS IMPACT STATEMENT

N/A

2. **SUBJECT: TRAFFIC ADVISORY COMMITTEE (05/06/2020 - ADOPT RECOMMENDATIONS; 05/20/2020 - SECOND READING OF AN ORDINANCE) (DISTRICT: 5)**

OVERVIEW

As part of the Department of Public Works (DPW) traffic engineering program, the Board of Supervisors (Board) established the Traffic Advisory Committee (TAC) as an aid in providing uniform traffic regulations throughout the unincorporated areas of the county. The goal of the TAC is to make recommendations to the Board on traffic matters to provide the communities in the unincorporated region with a safe and efficient road system. To accomplish this, it is necessary that traffic policies be established and used to provide persons using the road system with consistent and uniform regulations that are effective and can be legally enforced. The TAC meets every six weeks to review proposed additions, deletions, or changes to regulatory traffic control devices such as speed limits, stop signs, traffic signals, and parking regulations on County-maintained roads. Upon receipt of a request or recommendation for a traffic regulation in unincorporated areas of the county, the TAC reviews and investigates the requested item including engineering studies and studies of traffic conditions.

The TAC recommends the Board act on two items from the January 24, 2020, meeting agenda:

- Item 5-B is a review to establish an all-way stop intersection or a traffic control signal at Rancho Santa Fe Farms Road and Rancho Santa Fe Lakes Drive in the community of Fairbanks Ranch and was requested by an area resident based on concerns for pedestrian crossing. The California Manual on Uniform Traffic Control Devices (CA MUTCD) provides guidelines for installation of an all-way stop and nine warrants for consideration of a traffic signal based on intersection operating conditions (i.e. traffic volumes or recent collision history). None of the criteria used to determine the need for all-way stop or signalization are met. The TAC discussed that marking a crosswalk at Rancho Santa Fe Lakes Drive may leave pedestrians with a false sense of security at a marked crosswalk when they would still have the burden to properly stop and assess for a safe opportunity to cross, as they do today. The TAC recommended that no changes be made to the existing intersection controls.
- Item 5-C is a periodic review that is required every seven years and was requested by DPW staff to comply with state law. This will recertify the use of radar for speed enforcement on Monte Vista Drive from the Vista City Limit (near Giddings Ranch Road) to Buena Creek

Road in Vista. The roadway is currently posted with a 45 MPH speed limit and measured speeds averaged 46.2 MPH. State law allows rounding measured speeds down to the nearest 5 MPH increment. Further, state law allows an additional 5 MPH reduction based on roadway operating conditions. Based on measured speeds and recent collision history, the TAC recommends decreasing the existing 45 MPH posted speed limit to 40 MPH and certifying the decreased speed limit for radar enforcement.

Approval of Item 5-C would support speed enforcement, which increases roadway safety and retains mobility. Properly posted speed limits provide feedback to drivers to improve traffic safety, reduce the number and severity of collisions, and allow for fair enforcement.

The Board's action on Item 5-B does not require a second hearing and Board direction on May 6, 2020 would allow implementation by DPW. The Board's action on Item 5-C would decrease a speed limit, revise the San Diego County Code of Regulatory Ordinances (County Code), and would require two steps. On May 6, 2020, the Board would consider the TAC item. If the Board acts on May 6, 2020, then on May 20, 2020, a second reading of an ordinance amending County Code would be necessary to implement the Board's direction.

RECOMMENDATION(S)
TRAFFIC ADVISORY COMMITTEE

District 5:

Item 5-B. Rancho Santa Fe Farms Road and Rancho Santa Fe Lakes Drive in Fairbanks Ranch - Do not establish an all-way stop or traffic signal.

Item 5-C. Monte Vista Drive from the Vista City Limit (near Giddings Ranch Road) to Buena Creek Road in Vista - Reduce the 45 MPH speed limit to 40 MPH and certify the speed limit for radar enforcement.

CHIEF ADMINISTRATIVE OFFICER

1. Find that the proposed project is exempt from the California Environmental Quality Act (CEQA) as specified under Section 15301 of the CEQA Guidelines because the proposed action involves minor alterations of existing public facilities relating to regulatory traffic control issues on County maintained roadways, resulting in negligible or no expansion of existing or former use.
2. Adopt the Traffic Advisory Committee's recommendations.
3. Approve the introduction, read title, and waive further reading of the following Ordinance: ORDINANCE AMENDING SECTION 72.161.43. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-C).

If, on May 6, 2020, the Board takes action as recommended, then, on May 20, 2020:

Consider and adopt the following Ordinance:

ORDINANCE AMENDING SECTION 72.161.43. OF THE SAN DIEGO COUNTY CODE RELATING TO SPEED LIMITS ON COUNTY MAINTAINED ROADS IN SAN DIEGO COUNTY (Item 5-C).

FISCAL IMPACT

Funds for this request are included in the Fiscal Year 2019-20 Operational Plan for the Department of Public Works Road Fund. If approved, there will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

3. **SUBJECT: ADOPT RESOLUTION TO CHANGE THE RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX AND BOUNDARY MAP FOR COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) (DISTRICT: 5)**

OVERVIEW

This is a request for the Board of Supervisors (Board) to initiate proceedings to amend the Meadowood Community Facilities District (CFD) No. 2019-01. The existing CFD provides funding for the operation and maintenance of public facilities including trails, a park, and stormwater drainage and treatment facilities, as well as funds for fire protection and emergency medical facilities and services from the North County Fire Protection District within the CFD boundary. The CFD includes a special tax levy on properties within the Meadowood Master Planned Community (Meadowood). Meadowood is a 389-acre project located northeast of the State Route-76 and Interstate-15 interchange, within the Fallbrook community planning area.

On April 10, 2019 (2), the Board established the CFD and a special tax rate to fund ongoing maintenance of public facilities within the Meadowood CFD. The developer, Pardee Homes, is requesting to: (1) amend the CFD special taxes due to an increase in the maintenance costs associated with changes in the engineering design of the stormwater facilities resulting from final stormwater management system design based on applicant site plan changes and Flood Control comments, and (2) amend the CFD boundary map to modify boundaries of tax zones of the CFD to conform to the anticipated phasing of the final map for the Meadowood project. The outer boundaries of the CFD are not proposed to be amended. With the amendment, the total effective tax rate will range from 1.30% to 1.36% depending on the residential unit type (\$1,312 annually per single-family unit, and \$965 annually per multi-family unit). On average, the special tax rate will increase by 0.01% when compared to the currently approved CFD rate. The proposed revised special tax rate has been reviewed by staff and complies with Board Policy I-136, *Comprehensive Goals and Policies for Community Facilities Districts*, which sets a maximum total effective tax rate of 1.86% of the estimated sales price of the residential homes.

State law requires three hearings for the CFD amendment process. The first hearing is for the Board to consider changes to the CFD special taxes including the Rate and Method of Apportionment and the boundary map through adoption of a Resolution of Consideration. If approved, a second hearing on June 24, 2020 will be for the Board to provide the public an opportunity to comment on the amendment to the CFD and complete the first reading of the ordinance authorizing the amended tax rate. A third hearing, scheduled for July 8, 2020 will be for the Board to conduct a second reading of the ordinance and adopt the amended tax rate, if approved by a two-thirds vote of the qualified electors. A qualified elector is either a property owner or registered voter within a CFD. If the proposed community within the CFD boundary is uninhabited, the State Mello-Roos Act specifies that the qualified elector is the sole property owner. In this case, the sole property owner is Pardee Homes, who requested the amended tax rate.

RECOMMENDATION(S)
CHIEF ADMINISTRATIVE OFFICER

1. Find that the Final Environmental Impact Report (EIR) for the Meadowood Project, dated January 11, 2012, State Clearinghouse Number 2004051028, on file in Planning & Development Services as Environmental Review No. 04-02-004 has been completed in compliance with the California Environmental Quality Act (CEQA) and the State and County of San Diego CEQA Guidelines; that the decision-making body has reviewed and considered the information contained in the Final EIR prior to approving the project; and the Final EIR reflects the independent judgment and analysis of the Board of Supervisors (Board).

Find that the currently proposed actions are within the scope of the Final EIR; that there are no changes in the project or in the circumstances under which it is undertaken that would result in significant environmental impacts beyond those considered in the certified EIR, nor a substantial increase in the severity of previously identified significant effects; and that no new information of substantial importance has become available since the Final EIR (CEQA Guidelines Section 15162) was prepared.

2. Adopt a Resolution of Consideration entitled: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO, CALIFORNIA, ACTING AS THE LEGISLATIVE BODY OF THE COUNTY OF SAN DIEGO COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE), TO CONSIDER CHANGES TO THE RATE AND METHOD OF APPORTIONMENT AND BOUNDARY MAP FOR COMMUNITY FACILITIES DISTRICT NO. 2019-01 (MEADOWOOD MAINTENANCE) (Attachment A, on file with the Clerk of the Board).

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan in Planning & Development Services, the Department of Parks and Recreation, the Department of Public Works, or the San Diego County Flood Control District. Staff time and consultant costs to complete the changes to the CFD total \$40,000 and are funded by Pardee Homes.

The amended Rate and Method of Apportionment increases the maximum Special Tax A and B amounts to address increased maintenance cost due to engineering changes, resulting in an estimated total annual increase of \$78 for single family units and \$57 for multifamily units in 2020 dollars, for an average effective tax rate increase of 0.01%. The amended CFD special tax rate is projected to fully fund the CFD's maintenance and service costs associated with Special Taxes A, B, and C estimated at \$927,996 annually in 2020 dollars, and ongoing CFD administration costs estimated at \$25,000 annually in 2020 dollars. Associated costs and revenue will be included in the Chief Administrative Officer Recommended Operational Plan for FY 2020-21 and in future Operational Plans. The funding source is special taxes paid by property owners within the Meadowood CFD. There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

N/A

4. SUBJECT: ESTABLISH APPROPRIATIONS, ADVERTISE AND AWARD A CONSTRUCTION CONTRACT FOR THE SWEETWATER ROAD PATHWAY IMPROVEMENT PROJECT (DISTRICT: 1)

OVERVIEW

The Sweetwater Road Pathway Improvement Project is located in the unincorporated community of Bonita, north of the Chula Vista Golf Course, starting 500 feet from Willow Street and ending before the driveway into Rohr Park. Walkers and joggers use the pathway to access Rohr Park and the County's Provence House. The project will construct a new asphalt-concrete berm and drainage inlets along the road and a post and rope fence along the pathway to separate pedestrians from the road. The project will benefit the community by preventing storm-related erosion to the pathway which will enhance pedestrian safety, accessibility, and walkability. The project will also support measure T-2.1 of the County's Climate Action Plan by enhancing pedestrian accessibility on roadway segments.

This is a request to establish and transfer appropriations and approve the advertisement and subsequent award of a construction contract to the lowest responsive and responsible bidder for the Sweetwater Road Pathway Improvement Project. Construction is scheduled to begin early summer 2020 and be completed in late summer 2020. The construction cost is estimated at \$320,000, including contingency. Remaining project funds of \$119,615 will be used for project development and construction support for a total project cost of \$439,615. The funding sources are available fund balance budgeted in the Department of Public Works General Fund (\$189,615), and available prior year Road Fund fund balance (\$250,000).

RECOMMENDATION(S)

CHIEF ADMINISTRATIVE OFFICER

1. Find that the Sweetwater Road Pathway Improvement Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the CEQA Guidelines because it involves the minor alteration of an existing public roadway and pedestrian trail involving negligible or no expansion of existing or former use.
2. Transfer appropriations of \$189,615 within the Department of Public Works General Fund (Org 50861), from Services & Supplies to Operating Transfer Out.
3. Transfer appropriations of \$189,615 from the Department of Public Works General Fund (Org 50861), Operating Transfer Out, to the Department of Public Works Road Fund (Org 53405), Services & Supplies based on an Operating Transfer In from the Department of Public Works General Fund. **(4 VOTES)**
4. Establish appropriations of \$250,000 in the Department of Public Works Road Fund Fiscal Year 2019-2020 Detailed Work Program for the Sweetwater Road Pathway Improvement based on available prior year Road Fund fund balance. **(4 VOTES)**
5. Authorize the Director of Purchasing and Contracting to advertise and award a construction contract and to take any action authorized by Section 401 et seq., of the Administrative Code, with respect to contracting for the Sweetwater Road Pathway Improvement Project.
6. Designate the Director, Department of Public Works, as County Officer responsible for administering the construction contract, in accordance with Board Policy F-41, Public Works Construction Projects.

FISCAL IMPACT

Funds for this request are not included in the Fiscal Year 2019-20 Operational Plan in the Department of Public Works (DPW) Road Fund Detailed Work Program. If approved, construction project costs are estimated at \$320,000 including contingency. Remaining project funds of \$119,615 will be used for project development and construction support for a total project cost of \$439,615. The funding sources are available fund balance budgeted in the Department of Public Works (\$189,615), and available prior year Road Fund fund balance (\$250,000). There will be no change in net General Fund cost and no additional staff years.

BUSINESS IMPACT STATEMENT

County construction contracts are competitively bid and help stimulate the local economy.

Approved by the Board of Supervisors, on Wednesday, May 20, 2020.



GREG COX
Chairman

Attest:



ANDREW POTTER
Clerk of the Board

05/06/2020